

UNITED STATES DISTRICT COURT
For The
WESTERN DISTRICT OF PENNSYLVANIA



U.S.A. vs. Leonard Smith

Docket Nos. 04-00017-002 & 04-00067-001

Second Supplemental Petition on Supervised Release

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Leonard Smith, who was placed on supervision by the Honorable Thomas M. Hardiman sitting in the Court at Pittsburgh, Pennsylvania, on the 2nd day of February 2005, who fixed the period of supervision at three years and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

- Shall pay a \$600 special assessment.
- Shall participate in urine testing and drug treatment as directed.
- Shall abstain from the use of alcohol.
- Shall pay restitution of \$8,650 (combined - Docket Nos. 04-00017-001 and 04-00067-001)
- Shall pay any remaining restitution through monthly installments of not less than 10 percent of his gross monthly income.

02-02-05: Bank Robbery (6 counts); 87 months' imprisonment followed by a supervised release term of 3 years.

07-21-06: Sentence of imprisonment reduced to 42 month; 90 days at Renewal for drug treatment added to supervised release conditions.

02-02-07: Released to supervision; Currently supervised by U.S. Probation Officer Donald A. Covington.

01-18-08: Petition filed charging technical violations.

02-28-08: Order, Judge Lancaster; hearing scheduled for 03/06/08.

03-06-08: Hearing, Judge Lancaster; Case continued until 07/01/08. Defendant to be placed at Renewal while awaiting placement in inpatient drug program.

05-19-08 Modification of supervised release to include placement at the Renewal Center for a period not to exceed 180 days. Supervised release revocation hearing scheduled for 07/01/08 cancelled.

07-10-08: Supplemental petition filed charging additional technical violations. Violation hearing scheduled for 09/11/08 continued until 12/12/08.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT AND FOR CAUSE AS
FOLLOWS:**

Your Petitioner reports that the supervised releasee has violated the following conditions:

**The defendant shall not unlawfully possess a controlled substance. The defendant shall
refrain from any unlawful use of a controlled substance.**

Your Petitioner reports that while at Twin Lakes Center, a urine sample taken on September 5, 2008, tested positive for marijuana, cocaine, codeine, morphine and hydromorphone.

**The defendant shall participate in a program of testing and, if necessary, treatment for
substance abuse as directed by the probation officer, until such time as the defendant is
released from the program by the probation officer.**

Your Petitioner reports that the supervised releasee entered the Twin Lakes inpatient program on September 5, 2008, where he was to remain until released by the probation officer. However, the supervised releasee was discharged from the program on September 29, 2008, after violating program rules by walking off grounds.

The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.

Your Petitioner reports that the supervised releasee failed to report to the probation office as instructed by the probation officer on October 16, 2008 and October 23, 2008.

PRAYING THAT THE COURT WILL ORDER that the afore-cited alleged violations of supervision be incorporated as part of the Petition Action previously made part of the records in this case on February 28, 2008, and August 14, 2008.

I declare under penalty of perjury that the foregoing is true and correct.

Executed
on

December 5, 2008

Considered and ordered this 13 day of
Dec, 2008 and ordered filed and made
a part of the records in the above case.

J. L. Hanrahan

U.S. District Judge

Donald A Covington

Donald A. Covington
U.S. Probation Officer

Roselyn Gerson

Roselyn Gerson
Supervising U.S. Probation Officer

Place: Pittsburgh, PA